

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:06cv2**

<b>THEODORE R. ANDERSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>JEFFREY R. DOBSON; GERALD W.</b>	)	
<b>SODERQUIST; ROBERT W.</b>	)	
<b>MIDDLETON; and ARTHUR D.</b>	)	
<b>ACKERMAN,</b>	)	
	)	
<b>Defendants/Third-Party</b>	)	
<b>Plaintiffs,</b>	)	
	)	
<b>Vs.</b>	)	
	)	
<b>HALEAKALA RESEARCH AND</b>	)	
<b>DEVELOPMENT, INC.,</b>	)	
	)	
<b>Third-Party Defendants.</b>	)	
	)	

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**THIS MATTER** is before the court on the following pending motions:

- (1) plaintiff's Motion for Partial Summary Judgment (#70);
- (2) third-party defendant's Motion to Dismiss (#87);
- (3) plaintiff and third-party defendant's Motion for Summary Judgment (#88);
- (4) defendants' Second Motion for Extension of Scheduling Deadlines Concerning the Deposition of Weinstein (#94);
  
- (5) plaintiff and third-party defendant's Motion to Strike Video Deposition

(#97); and

(6) joint Motion to Set Trial (#102).

Absent the filing of additional motions, it appears that the last brief is due to be filed not later than February 4, 2007, which would be plaintiff's and third-party defendant's reply to defendant's and third-party plaintiff's yet-to-be filed response to plaintiff's and third-party defendant's Motion to Strike Video Deposition.<sup>1</sup>

With the closing of briefing in this matter, oral arguments on all pending motions will be calendared for February 22, 2007, beginning at 9 a.m.

## **ORDER**

**IT IS, THEREFORE, ORDERED** that the following motions are calendared for oral arguments on February 22, 2007, beginning at 9:30 a.m., at Asheville in Courtroom No. 2:

- (1) plaintiff's Motion for Partial Summary Judgment (#70);
- (2) third-party defendant's Motion to Dismiss (#87);
- (3) plaintiff and third-party defendant's Motion for Summary Judgment (#88);
- (4) defendants' Second Motion for Extension of Scheduling Deadlines Concerning the Deposition of Weinstein (#94);

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<sup>1</sup> In addition, third-party defendant's reply to defendant's and third-party plaintiff's response to third-party defendant's Motion to Dismiss is due to be filed not later than January 29, 2007.

- (5) plaintiff and third-party defendant's Motion to Strike Video Deposition (#97); and
- (6) joint Motion to Set Trial (#102).

Signed: January 19, 2007

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

